

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ROSS D. LEVAY,

Plaintiff.

Case No. 1:20-cv-13146

v.

Honorable Thomas L. Ludington  
United States District Judge

DAVID MORKEN,  
BANDWITH.COM CLEC., LLC, AND  
BANDWITH, INC.,

Defendants.

and

ROSS D. LEVAY,

Plaintiff.

Case No. 1:22-cv-10120

v.

Honorable Thomas L. Ludington  
United States District Judge

UNITED STATES OF AMERICA,

Defendant.

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**ORDER CONSOLIDATING CASES**

Plaintiff Ross D. Levay filed two separate actions against two separate sets of defendants. He filed the first action, *LeVay v. Morken*, No. 20-cv-13146, on November 29, 2020. He filed the second action, *LeVay v. United States*, No. 1:22-cv-10120, on January 20, 2022.

In both cases, he filed nearly identical motions for recusal under 28 U.S.C. § 144 and § 485. *See* ECF No. 23, *in* Case No. 1:20-cv-13146; ECF No. 5, *in* Case No. 1:22-cv-10120.

On February 24, 2022, this Court directed the defendants in both cases to respond to Plaintiff's motions for recusal. *See* ECF No. 26, *in* Case No. 1:20-cv-13146; ECF No. 7, *in* Case No. 1:22-cv-10120.

Four days later, Plaintiff filed a petition for a writ of mandamus. *See* ECF No. 27, *in* Case No. 1:20-cv-13146. The cover of the Petition reads:

CASE NOS. 20-CV-13146, LEVAY V. MORKEN;  
22-CV-10120, LEVAY V. UNITED STATES,  
EASTERN DISTRICT of MICHIGAN  
CONSOLIDATED

ECF No. 27 at PageID.148 *in* Case No. 1:20-cv-13146. In this way, Plaintiff indicates that he would like the cases consolidated.

Given the substantially similar filings and requests in both cases, consolidation is in the interests of efficiency and judicial economy. Consolidation will also reduce confusion, prejudice, and Plaintiff's filing fees for any future identical filings, as he is pro se.

Accordingly, it is **ORDERED** that *LeVay v. Morken*, No. 20-cv-13146 and *LeVay v. United States*, No. 1:22-cv-10120 are **CONSOLIDATED** into one proceeding under Federal Rules of Civil Procedure 42(a). The parties are **DIRECTED** to file motions, responsive materials, and other filings under case number **1:20-CV-13146**.

Dated: March 1, 2022

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge